

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION**

ZHU ZHAI HOLDINGS LIMITED and
PETER PUI TAK LEE

Plaintiff,

v.

STEVEN IVANKOVICH,

Defendant.

Case No. 1:20-cv-4985

Hon. Sharon Johnson Coleman

**REQUEST FOR CLERK'S ENTRY OF DEFAULT AGAINST
DEFENDANT STEVEN IVANKOVICH**

Pursuant to Federal Rule of Civil Procedure 55(a), Plaintiffs Zhu Zhai Holdings Limited ("ZZH") and Peter Pui Tak Lee ("Lee") (collectively, "Plaintiffs"), request the entry of default against Defendant Steven Ivankovich ("Defendant," or "Ivankovich"). In support of this request, Plaintiffs state as follows:

1. On August 24, 2020, Plaintiffs filed the complaint in this matter alleging breach of guaranty and fraudulent inducement against Defendant. (Dkt. 1).
2. On August 25, 2020, this Court issued a Summons for Ivankovich. (Minute entry).
3. On September 1, 2020, Plaintiffs properly served Defendant by leaving copies of the summons and complaint at Defendant's dwelling or usual place of abode with Jeanette Ivankovich, Defendant's wife, a person of suitable age who resided there. (Exhibit A, Affidavit of Will Sears; Exhibit B, affidavit of service). Also on September 1, 2020, Plaintiffs mailed a copy of the summons and complaint by first-class mail to the same address. (Exhibit B).

4. Plaintiffs filed a proof of service on September 15, 2020. (Dkt. 10). Under Federal Rule of Civil Procedure 12(a), Defendant was due to respond to the complaint by September 22, 2020. (Dkt. 10).

5. As of the filing of this request, no counsel for Ivankovich has appeared in this action, and Ivankovich has failed to timely respond to the complaint.

6. The Clerk must enter a default when a defendant “against whom a judgment of affirmative relief is sought has failed to plead or otherwise defend,” as has been shown above and in the attached affidavit of Will Sears (Exhibit A). Fed. R. Civ. P. 55(a).

WHEREFORE, Plaintiff respectfully requests that the Clerk of the Court enter default of the form in the attached proposed entry of default.

Dated: October 2, 2020

Respectfully Submitted,

/s/ Tyler Whitmer

Tyler Whitmer (*pro hac vice*)

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ENTRY OF DEFAULT

It appearing that the complaint was filed in this case on **August 24, 2020**, that the summons and complaint were duly served upon the defendant **Steven Ivankovich** and no answer or other pleading has been filed by said defendant as required by law;

Therefore, upon request of the plaintiff, default is hereby entered against the defendant, Steven Ivankovich. as provided in Rule 55(a), Federal Rules of Civil Procedure.

Thomas G. Bruton, CLERK

By _____
Deputy Clerk

CERTIFICATE OF SERVICE

I hereby certify that on this 2nd day of October, 2020, a true and correct copy of the foregoing Request for Clerk's Entry of Default was served through the court's ECF system which caused notice of filing to be sent to all counsel of record.

/s/ Tyler Whitmer